

COUNTY OF LOS ANGELES  
**SHERIFF'S DEPARTMENT**

DATE: June 1, 2004

OFFICE CORRESPONDENCE

FILE:

FROM: JOHNNY G. JURADO, COMMANDER  
LEADERSHIP & TRAINING DIVISIONTO: PATTI A. MINUTELLO, CAPTAIN  
SANTA CLARITA VALLEY STATIONSUBJECT: **EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS AND RECOMMENDATIONS  
USE OF FORCE, DECEMBER 20, 2003, REVIEW #2106257**

The purpose of this memo is to notify you of the review committee's findings and recommendations concerning the use of force incident which occurred on December 20, 2003.

The Committee met on May 27, 2004, and consisted of myself and Commanders Kenneth Brazile (Commander of the Department) and Robert Binkley (FOR III). The Committee determined that the use of force by Deputy Robert Hill # [REDACTED] was within Department policy. **Please advise the deputy of this finding.**

JGJ:KRK:kk

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**FO #2106257**

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- Chief's memorandum..
- In-service.
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..

# Los Angeles County Sheriff's Department

## Supervisor's Report on Use of Force

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### Incident Information

URN:	503-18602-0631-146	Date:	12/20/2003	Time:	0430 hours
Location:	[REDACTED] American Beauty Drive, # [REDACTED] Canyon Country				
City or Station:	Santa Clarita Station				
Bureau/Station/Facility:	FORI/Santa Clarita	Admin. Investigation: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>			

### Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[REDACTED]	Burgess	Richard	G
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name

### Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[REDACTED]	[REDACTED]	[REDACTED]	20	[REDACTED]
Street Address	City	Zip Code	Work Ph.	Home Ph.
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Last Name	First Name	Middle Name	Age	D.O.B.
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Street Address	City	Zip Code	Work Ph.	Home Ph.
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Last Name	First Name	Middle Name	Age	D.O.B.
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Street Address	City	Zip Code	Work Ph.	Home Ph.
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

### On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
[REDACTED]	Nagler	Richard		Sgt	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
					YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>

### Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
[REDACTED]	Blake	Kevin	

### Watch Commander

Emp. #	Last Name	First Name	Middle Name
[REDACTED]	Bryski	Tom	

Watch Commander's Signature: \_\_\_\_\_ Emp #: \_\_\_\_\_

Copy Provided to Employee by: \_\_\_\_\_ Emp #: \_\_\_\_\_

Supervisor Completing Form: Sgt. Larry Gregg Emp #: [REDACTED]  
(Print)

Emp #: \_\_\_\_\_ Date Signed: \_\_\_\_\_

Unit Commanders Signature: \_\_\_\_\_

PSTD Use Only
FO# 2106257

Original: Unit Commander  
Copy: P.S.T.D. Headquarters,  
Employee



# Supervisor's Report on Use of Force INVOLVED EMPLOYEE INFORMATION

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## Involved Employee

<b>E1</b>	Employee #	Last Name	First Name	Middle Name
		Hill	Robert	C
Sex:		Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female		White	Santa Clarita Station	61
Shift:		<input checked="" type="checkbox"/> Regular Shift <input type="checkbox"/> OT Shift <input type="checkbox"/> Off Duty	Age:	Height:
<input checked="" type="checkbox"/> EM <input type="checkbox"/> Day <input type="checkbox"/> PM				6'01"
				Weight: 210
Medical Exam/Treatment <input type="checkbox"/> If Admitted, Name of Hospital:			Coroner Case #	Directed Force <input type="checkbox"/> Significant Force <input checked="" type="checkbox"/>

  

<b>E</b>	Employee #	Last Name	First Name	Middle Name
Sex:		Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
<input type="checkbox"/> Male <input type="checkbox"/> Female				
Shift:		<input type="checkbox"/> Regular Shift <input type="checkbox"/> OT Shift <input type="checkbox"/> Off Duty	Age:	Height:
<input type="checkbox"/> EM <input type="checkbox"/> Day <input type="checkbox"/> PM				
				Weight:
Medical Exam/Treatment <input type="checkbox"/> If Admitted, Name of Hospital:			Coroner Case#	Directed Force <input type="checkbox"/> Significant Force <input type="checkbox"/>

  

<b>E</b>	Employee #	Last Name	First Name	Middle Name
Sex:		Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
<input type="checkbox"/> Male <input type="checkbox"/> Female				
Shift:		<input type="checkbox"/> Regular Shift <input type="checkbox"/> OT Shift <input type="checkbox"/> Off Duty	Age:	Height:
<input type="checkbox"/> EM <input type="checkbox"/> Day <input type="checkbox"/> PM				
				Weight:
Medical Exam/Treatment <input type="checkbox"/> If Admitted, Name of Hospital:			Coroner Case#	Directed Force <input type="checkbox"/> Significant Force <input type="checkbox"/>

  

<b>E</b>	Employee #	Last Name	First Name	Middle Name
Sex:		Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
<input type="checkbox"/> Male <input type="checkbox"/> Female				
Shift:		<input type="checkbox"/> Regular Shift <input type="checkbox"/> OT Shift <input type="checkbox"/> Off Duty	Age:	Height:
<input type="checkbox"/> EM <input type="checkbox"/> Day <input type="checkbox"/> PM				
				Weight:
Medical Exam/Treatment <input type="checkbox"/> If Admitted, Name of Hospital:			Coroner Case#	Directed Force <input type="checkbox"/> Significant Force <input type="checkbox"/>

  

<b>E</b>	Employee #	Last Name	First Name	Middle Name
Sex:		Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
<input type="checkbox"/> Male <input type="checkbox"/> Female				
Shift:		<input type="checkbox"/> Regular Shift <input type="checkbox"/> OT Shift <input type="checkbox"/> Off Duty	Age:	Height:
<input type="checkbox"/> EM <input type="checkbox"/> Day <input type="checkbox"/> PM				
				Weight:
Medical Exam/Treatment <input type="checkbox"/> If Admitted, Name of Hospital:			Coroner Case#	Directed Force <input type="checkbox"/> Significant Force <input type="checkbox"/>

  

<b>E</b>	Employee #	Last Name	First Name	Middle Name
Sex:		Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
<input type="checkbox"/> Male <input type="checkbox"/> Female				
Shift:		<input type="checkbox"/> Regular Shift <input type="checkbox"/> OT Shift <input type="checkbox"/> Off Duty	Age:	Height:
<input type="checkbox"/> EM <input type="checkbox"/> Day <input type="checkbox"/> PM				
				Weight:
Medical Exam/Treatment <input type="checkbox"/> If Admitted, Name of Hospital:			Coroner Case#	Directed Force <input type="checkbox"/> Significant Force <input type="checkbox"/>

# Supervisor's Report on Use of Force

## SUSPECT INFORMATION

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### Suspect Information

<b>S1</b>	Last Name Villegas	First Name Seana	Middle Name Janine
AKA Last Name		First Name	
Sex: <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female		Race: H	Street Address: [REDACTED]
City: [REDACTED]		State & Zip Code: [REDACTED]	
Work Phone: [REDACTED]	Home Phone: [REDACTED]	Age: 21	Height: 4'10"
D.O.B. 12/19/1982		Weight: 85	Armed? <input type="checkbox"/>
Booking #: 7948-511		Primary Charge: 243(a)(1) PC	
Secondary Charge:		Criminal History: [REDACTED]	
Hospital Admission? <input type="checkbox"/>		Rec'd Treatment At: Henry Mayo Hospital	
Coroner Case#:		Mental History <input type="checkbox"/>	
Under Influence: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		Substance: Alcohol	
Photos of Suspect's Injuries <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
<b>Suspect Interview</b>			
Date: 12/20/2003		Time: 0630	
Audiotape: <input checked="" type="checkbox"/>		Videotape: <input type="checkbox"/>	

### Suspect Information

<b>S</b>	Last Name	First Name	Middle Name
AKA Last Name		First Name	
Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female		Race:	Street Address:
City:		State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:
D.O.B.		Weight:	Armed? <input type="checkbox"/>
Booking #:		Primary Charge:	
Secondary Charge:		Criminal History: <input type="checkbox"/>	
Hospital Admission? <input type="checkbox"/>		Rec'd Treatment At:	
Coroner Case#:		Mental History <input type="checkbox"/>	
Under Influence: <input type="checkbox"/> YES <input type="checkbox"/> NO		Substance:	
Photos of Suspect's Injuries <input type="checkbox"/> YES <input type="checkbox"/> NO			
<b>Suspect Interview</b>			
Date:		Time:	
Audiotape: <input type="checkbox"/>		Videotape: <input type="checkbox"/>	

### Suspect Information

<b>S</b>	Last Name	First Name	Middle Name
AKA Last Name		First Name	
Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female		Race:	Street Address:
City:		State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:
D.O.B.		Weight:	Armed? <input type="checkbox"/>
Booking #:		Primary Charge:	
Secondary Charge:		Criminal History: <input type="checkbox"/>	
Hospital Admission? <input type="checkbox"/>		Rec'd Treatment At:	
Coroner Case#:		Mental History <input type="checkbox"/>	
Under Influence: <input type="checkbox"/> YES <input type="checkbox"/> NO		Substance:	
Photos of Suspect's Injuries <input type="checkbox"/> YES <input type="checkbox"/> NO			
<b>Suspect Interview</b>			
Date:		Time:	
Audiotape: <input type="checkbox"/>		Videotape: <input type="checkbox"/>	



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**Non-Employee Witnesses (Continuation)**[illegible]

## **INVESTIGATIVE SUMMARY**

**TYPE INCIDENT:** Use of Force (Control Hold, fractured arm)

**IAB FILE:** SH #2106257

**URN:** 503-18602-0631-146

### **DATE / TIME / LOCATION**

Saturday, December 20, 2003

0430 hours

████████ American Beauty Drive █████████ Canyon Country 91351

### **SYNOPSIS**

On December 20, 2003, Deputies Robert Hill and Richard Burgess responded to a domestic disturbance call. When they arrived, they contacted the two involved parties. While attempting to detain one of the parties, Suspect Seana Villegas stepped between the deputies and the person they were attempting to detain. Deputy Hill grabbed Suspect Villegas' arms, placing them behind her back. She was then handcuffed. During the ensuing investigation, Suspect Villegas complained of pain to her arm. She was transported to the hospital and diagnosed with a fractured left arm.

Internal Affairs Sergeants Larry Gregg and Larry Landreth responded to Henry Mayo Hospital and conducted a review. Lieutenant Stacy Lee and Office of Independent Review Attorney Steve Connolly were notified of the incident.

### **INVOLVED PERSONNEL**

**Hill, Robert, Deputy #** █████████ **MW/37 HT 6'01" WT 210** █████████

<b>Division:</b>	Field Operations Region I
<b>Assignment:</b>	Santa Clarita Station, Unit 61
<b>Date of Employment:</b>	05/01/1990
<b>Date Assigned to Patrol:</b>	██████████
<b>Date Completed Patrol Training:</b>	██████████
<b>Prior Shooting Incidents:</b>	██████████
<b>Prior Founded Force Incidents:</b>	██████████



**SUSPECT**

**Villegas, Seana Janine**      **FH/21**      **HT 4'10"**      **WT 85**      **Right Handed**

**Criminal History:**

None

**WITNESSES**

**Civilians:**

**Deputies:**

**Burgess, Robert**      #

**FORCE USED BY DEPUTY PERSONNEL**

Deputy Hill

**Force:**      Control Hold

**WEAPONS USED BY SUSPECT**

Suspect Villegas

**Weapon:**      Resistance

**INJURIES**

Suspect Villegas received fractured left arm. She was transported to and treated at Henry Mayo Hospital by Doctor Brown. Doctor Brown was interviewed and said the injury was consistent with the force applied. He described the fracture as being spiral and most likely caused when Suspect Villegas' arms were moved behind her back. He said a contributing factor was the small stature of Suspect Villegas.

## **CRIMINAL CASE INFORMATION**

Court: Newhall  
Charges filed: 243 (e) (1) PC - Battery (Domestic Violence)  
Next court date:: 02/17/2004

## **LIGHTING AND WEATHER CONDITIONS**

The incident occurred inside a partially lit apartment. The deputies and witnesses did not indicate that poor lighting was a factor.

## **EMPLOYEE STATEMENTS**

**Deputy Hill** was interviewed on December 20, 2004, by Sergeants Larry Gregg at Henry Mayo Hospital. Prior to the interview, Deputy Hill was provided an opportunity to read and sign the Admonition for Force/Shooting Review. The interview was digitally recorded.

Deputy Hill said he responded to the American Beauty Condominiums regarding a family disturbance call. The informant had stated that a male and female were yelling loudly and threats of death were being stated.

Deputy Hill said when he and his partner, Deputy Burgess arrived, he noticed a substance on the second floor landing, and just outside the locations front door of the residence, that was consistent with blood.

Deputy Hill said he knocked on the door and eventually it was opened by Suspect Villegas. Suspect Villegas was obviously drunk and told the deputies they could not enter the location to check on the welfare of the male listed in the call. The male could not be seen through the door but could be heard inside. Suspect Villegas said, "Go the fuck away. You have no right to be here!"

Deputy Hill said he and Deputy Burgess entered the apartment based on what he saw as blood on the landing and the statements of the informant. Inside, Suspect Villegas was continuing to demand they leave.

Deputy Hill said Deputy Burgess looked down the hallway leading to the bedrooms and saw [REDACTED] Deputy Hill saw one of the bedroom doors off its hinges and laying on the hallway floor. Deputy Burgess proceeded down the hallway to detain [REDACTED] pending a potential domestic violence investigation. Deputy Burgess ordered [REDACTED] out of the bedroom he was in. As [REDACTED] was exiting the bedroom and Deputy Burgess was approaching him, Deputy Hill stood near the doorway to the hallway. He was attempting to calm Suspect Villegas, while watching his partner contact [REDACTED] to assure no problems occurred there. Deputy Hill's back was turned partially away

from Suspect Villegas, observing her through his peripheral vision. Deputy Burgess was now in the hallway. Suspect Villegas quickly ran past both deputies and attempted to stop Deputy Burgess from contacting [REDACTED] by placing her arms out to each side, with her hands against the hallway walls. Deputy Hill said he warned Deputy Burgess that she was coming down the hallway. Suspect Villegas was protesting the presence of the deputies and demanding they leave. Deputy Hill said he was concerned because [REDACTED] had not yet been contacted or searched. He said, "We didn't know what we had. Was he [REDACTED] the victim or the suspect."

Deputy Hill followed behind Suspect Villegas and told her she needed to get out of the way. She refused, continuing her protestations. Deputy Hill approached her, grabbing both her arms and placed them behind her back. As he did so, he guided her into a bedroom doorway, allowing Deputy Burgess access to [REDACTED]

Deputy Hill said Immediately after he moved Suspect Villegas into the doorway, she began stating that he had broken her arm. He said he did not initially believe her because he had heard this type of complaint from irate contacts previously. He escorted Suspect Villegas into the living room, where she sat on the couch. Suspect Villegas continued to complaint about her broken arm, showing Deputy Hill her right arm.

**IAB NOTE:** Suspect Villegas was diagnosed with a fractured left arm.

Deputy Hill contacted his sergeant, via his hand held radio, regarding Suspect Villegas' allegation and requested him to respond to the scene. Other units arrived at the location to provide back up while a domestic violence investigation was conducted. During the investigation, Suspect Villegas continued to yell expletives at the deputies. She was eventually removed from the apartment and placed in a radio car. Suspect Villegas was eventually arrested for Domestic Battery.

Deputy Hill said he was advised by the field sergeant to take Suspect Villegas to the Santa Clarita Station where she would be interviewed regarding her allegation of an injury. En route to the station, Deputy Hill asked if her arm still hurt. Suspect Villegas said it didn't hurt, it was just numb.

Deputy Hill said when they arrived at the station, Deputy Hill removed Suspect Villegas' handcuffs and asked her if she could move her arm. Suspect Villegas said she could not move her arm without pain. Suspect Villegas was transported to Henry mayo Hospital where she was interviewed by the Watch Commander, Lieutenant Bryski.

Deputy Hill said he does not recall doing anything that would have fractured Suspect Villegas' arm. He described his use of force as no more than a firm grasp. He said he was dumbfounded on how the arm was broken. He conjectured that her arm may have possibly been broken by [REDACTED] during the domestic violence. He said neither [REDACTED] nor Suspect Villegas made any statements that it occurred that way. Deputy Hill said he never heard Suspect Villegas' arm snap and added that Suspect Villegas is very petite.

### **SUSPECT STATEMENT**

Suspect Seana Villegas was interviewed on December 20, 2003, by IAB Sergeant Larry Gregg at Henry Mayo Hospital. The interview was tape recorded.

Suspect Villegas stated substantially the same as Deputy Hill. She added that when the deputies arrived, she was extremely intoxicated because the night before she had been partying for her 21<sup>st</sup> birthday. She said the argument between her and [REDACTED] began when she arrived at his home later than she was expected. The argument continued and [REDACTED] eventually broke a bedroom door with his head. Suspect Villegas said she told [REDACTED] she was leaving and would walk to her [REDACTED] home, which is near [REDACTED]. [REDACTED] refused to allow her to leave because of the late hour, 0300 hours. The argument then continued until the deputies arrived.

Suspect Villegas said when the deputies arrived, "I got an attitude. Oh, did I get an attitude." She said she attempted to block the deputies from contacting [REDACTED]. She said a deputy grabbed her by the arm, pulling her into a bedroom. She said she does not recall Deputy Hill twisting or pulling on her arm aggressively. She said she does not know how her arm was broken. She said the deputy did not use any real force against her. She described the deputies as being professional and courteous faced with her belligerent attitude.

Suspect Villegas said there was no previous fracture to her arm.

### **WITNESS STATEMENT**

#### **Deputies:**

Deputy Richard Burgess was interviewed on December 20, 2003, by IAB Sergeant Larry Gregg at Henry Mayo Hospital. Prior to the interview, Deputy Burgess was provided an opportunity to read and sign the Admonition for Witness Rights. The interview was tape recorded.

Deputy Burgess stated substantially the same as Deputy Hill. He added that the original call was updated that persons were breaking things in the home. He said when they arrived, he could hear yelling from inside the condominium. He said that when Suspect Villegas opened the door, he explained to her that they needed to check the welfare of everyone inside, based on the circumstances of the call.

Deputy Burgess said when he entered, he checked the hallway and saw a male poke his head out of a bedroom door. The door to one of the bedrooms was off its hinges and laying on the hall floor. Deputy Burgess ordered the male, [REDACTED] out of the hallway. [REDACTED] began coming toward him but then stopped. Deputy Burgess entered the hall to contact the [REDACTED] and detain him during his investigation. Deputy Burgess said he did not know where his partner was during this time, but believed he was in the living room area detaining Suspect Villegas and attempting to calm her, as

her expletives about their presence was continuing.

Deputy Burgess said he began walking down the hallway to contact [REDACTED]. He heard Suspect Villegas screaming from behind him and Deputy Hill warning that she was coming down the hall. Deputy Burgess turned and saw Suspect Villegas coming toward him. She came up behind him and placed her arms across the hallway, blocking him from contacting [REDACTED]. He said he sensed that Deputy Hill was behind Suspect Villegas and was controlling her. He said he believes Suspect Villegas was moved into one of the other bedrooms in the hallway by Deputy Hill.

Deputy Burgess said he removed [REDACTED] from the hallway, having him kneel on the living room floor. When Suspect Villegas was escorted out of the hallway by Deputy Hill, she complained of pain to her arm. Deputy Burgess handcuffed her. Other deputies arrived at about this same time and searched the remainder of the condominium.

Deputy Burgess said he escorted Suspect Villegas to his radio car. He advised her of her Constitutional rights and explained why they needed to enter the apartment. He said Suspect Villegas became extremely cooperative at this point, apologizing for her tirades, expletives and drunken ways. She did continue to complain about her arm hurting while en route to the station.

Deputy Burgess said paramedics were not called to the scene. He added that he could not believe that Suspect Villegas' arm was broken.

#### **Civilians:**

[REDACTED] was interviewed on February 5, 2004, by IAB Sergeant Larry Gregg via the telephone.

Witness [REDACTED] stated that he and Suspect Villegas had an argument about her being out late. Suspect Villegas was extremely drunk and eventually the Sheriffs' arrived at his home.

Witness [REDACTED] described the use of force was substantially the same as other interviews. He added that when Suspect Villegas complained of pain she was told to shut up.

#### **INVESTIGATOR'S OBSERVATIONS**

Investigators arrived at the condominium complex several hours after the incident to conduct witness interviews and review the scene. The red substance described by Deputy Hill as possibly blood (Refer to paragraph 3 of Deputy Hill's statement) was no longer present on the landing. No accounting for the red streak could be found nor was it mentioned by any witnesses.